

Message Text

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S E C R E T STATE 107747

PASS DEPUTY ASSIST. SEC. SOBER OPENING OF BUSINESS MAY 12

E.O. 11652: GDS

TAGS: MASS, SA

SUBJECT: ACTION MEMO ON F-15S, SIDEWINDERS AND MAVERICKS
FOR SAUDI ARABIA (STATUS REPORT)

1. AS OF COB MAY 11, PM AND H HAD SETTLED ON POSITIONS
SIGNIFICANTLY DIFFERENT FROM THOSE THEY WERE TAKING UPON
YOUR DEPARTURE. BOTH NOW CONTEND THAT A COMMITMENT IN
PRINCIPLE TO AN ADVANCED AIRCRAFT SUBJECT TO CONGRESSIONAL
CONSULTATION (NEA POSITION) REQUIRES CONSULTATION BEFORE THE
COMMITMENT CAN BE MADE. H STILL MAINTAINS THAT CONSULTA-
TION ON ADVANCED AIRCRAFT FOR SAUDI ARABIA IN PRESENT CON-
GRESSIONAL CLIMATE WOULD RESULT IN A QUICK OVERWHELMING
VOTE AGAINST THE SALE. GENERAL SITUATION IN SFRC IN
PARTICULAR, HAS DETERIORATED SIGNIFICANTLY IN PAST FEW DAYS
BECAUSE OF ISRAELI CONCERNS ABOUT PRM 12. THIS HAS BEEN
VERY OBVIOUS IN CONNECTION WITH DEPARTMENT'S WORK ON
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HUMPHREY-CASE AND RELATED AMENDMENTS TO SECURITY ASSISTANCE
BILL BEING MARKED UP MAY 12. UNDER CIRCUMSTANCES WHETHER OR
NOT TO CONSULT WITH CONGRESS PRIOR TO FAHD VISIT BECOMES
INCREASINGLY CRITICAL CONSIDERATION IN DECIDING WHAT TO
TELL HIM. H HAS TODAY ARGUED THAT IT WOULD BE DIFFICULT
TO MAKE ANY COMMITMENT AND POSTPONE CONSULTATION WITHOUT
COMMITMENT LEAKING.

2. FOLLOWING REFLECT LATEST PM AND H SUGGESTED CHANGES
TO ACTION MEMORANDUM.

PAGE TWO, LAST PARAGRAPH, CHANGE TO "THE SOLUTION WOULD SEEM TO LIE IN GIVING REASSURANCES TO CROWN PRINCE FAHD ON THIS SUBJECT. PM BELIEVES WE SHOULD TELL FAHD THAT WE ARE COMMITTED TO SEEK CONGRESSIONAL APPROVAL FOR ALE OF AN ADVANCED AIRCRAFT. NEA PREFERS THAT WE AGREE IN PRINCIPLE TO SELL AN ADVANCED AIRCRAFT, SUBJECT TO CONGRESSIONAL APPROVAL. WE BOTH WOULD SEEK TO WORK OUT TIMING, AND QUANTITIES AS APPROPRIATE, IN A MANNER MEETING OUR POLICY AND DOMESTIC POLITICAL REQUIREMENTS." ("H BELIEVES THE SOLUTION WOULD SEEM TO LIE IN REASSURING CROWN PRINCE FAHD THAT WE ARE ACTIVELY CONSIDERING THE PROPOSAL TO SUPPLY AN ADVANCED AIRCRAFT, WHILE SEEKING TO WORK OUT TIMING, AND QUANTITIES AS APPROPRIATE, IN A MANNER MEETING OUR POLICY AND DOMESTIC POLITICAL REQUIREMENTS. WE MAY WANT TO PROMISE A FINAL DECISION BY A SPECIFIC DATE, SUCH AS JANUARY 1978. WE BELIEVE FAHD WILL BE SENSITIVE TO THE NEED TO TRY TO AVOID BURDENING THE U.S.-SAUDI RELATIONSHIP WITH FURTHER PUBLIC CONTROVERSY OVER WEAPONS SALES SO LONG AS HE IS CONFIDENT WE WILL GIVE HIM A TIMELY REPLY; IN THIS CONNECTION WE SHOULD BE CANDID WITH HIM ABOUT THE SERIOUS CONGRESSIONAL OPPOSITION ADVANCED AIRCRAFT MIGHT FACE.")

PAGE FOUR, PARAGRAPH ONE, DELETE SENTENCE BEGINNING "EVEN ON THE ..."
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PAGE FOUR, PARAGRAPH TWO, AFTER "LIGHTWEIGHT FIGHTER" ADD "AND THE FACT THAT IT IS PERCEIVED TO BE MORE DEFENSIVELY ORIENTED."

"CONGRESSIONAL CONSIDERATIONS" TO FOLLOW PARAGRAPH THREE, PAGE FOUR WHICH ENDS "... TO ISRAEL."

"CONGRESSIONAL CONSIDERATIONS", FROM PARAGRAPH TWO, PAGE EIGHT, DELETE "H" FROM FIRST AND SECOND SENTENCES AND ADD ADDITIONAL PARAGRAPHS WHICH BEGIN AS FOLLOWS: "H BELIEVES ANY MOVE INTO AN ADVANCED AIRCRAFT SYSTEM FOR SAUDI ARABIA WILL REQUIRE THE CLOSEST POSSIBLE CONSULTATION WITH THE CONGRESS. NOW IS A VERY DIFFICULT TIME TO MAKE THAT CONSULTATION. IT MAY WELL BE THAT AT SOME APPROPRIATE TIME, WHEN WE CAN EXPLAIN THE PROPOSAL IN TERMS OF AN OVERALL ARMS RESTRAINT POLICY AND IN TERMS OF ITS CONTRIBUTION TO THE MIDDLE EAST PEACEMAKING PROCESS, THAT WE WILL BE ABLE TO SEEK CONGRESSIONAL CONCURRENCE IN SUCH A SALE. AT PRESENT, HOWEVER, WITH THE ARMS CONTROL POLICY STILL IN A STATE OF FLUX AND WITH NO COMPELLING

NEED ON THE MIDDLE EAST PEACE SCENE, WE DO NOT HAVE ENOUGH AMMUNITION TO PERSUADE CONGRESS OF THE WISDOM OF THIS SALE. FURTHERMORE, THIS MONTH IS FILLED WITH CON-

GRESSIONAL EXCITEMENT AND AGITATION OVER MIDDLE EAST DEVELOPMENTS. IT IS STIMULATED BY OUR DECISION TO MOVE ON THE I-HAWK SALES TO SAUDI ARABIA, THE ISSUES OF CO-PRODUCTION AND HIGH TECHNOLOGY TRANSFER TO ISRAEL IN THE PRM 12 CONTEXT, THE NUCLEAR POLICY STATEMENT WHICH SOME BELIEVE IS HOSTILE TO ISRAEL, AND RECENT MEMORIES OF OTHER DECISIONS WHICH ISRAEL'S FRIENDS IN CONGRESS VIEW AS HOSTILE TO ISRAEL'S BEST INTEREST, SUCH AS THE KFIR AND CBU REJECTIONS.

IN SHORT, H BELIEVES WE MUST BE PREPARED TO ACCEPT SOME
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COST IN OUR RELATIONSHIP WITH SAUDI ARABIA TO AVOID A GREATER COST TO OUR RELATIONSHIP WITH SAUDI ARABIA AS A RESULT OF CONGRESSIONAL REACTION. H STRONGLY PREFERS AN EFFORT BE MADE TO EXPLAIN THIS TO FAHD WITHIN THE CONTEXT OF ALL THE OTHER STEPS BEING TAKEN IN TERMS OF THE MIDDLE EAST PEACE SETTLEMENT, THE AGREEMENT TO MOVE THE I-HAWKS AND PREVIOUS ACTION TO MOVE MAVERICKS AND SIDEWINDER MISSILES.

H CONCLUDES THAT FAILURE TO CONSULT IF ANY COMMITMENT IS MADE TO FAHD WILL RESULT IN THE MOST SERIOUS CONSEQUENCE OF ALL. LEAKS ARE VIRTUALLY INEVITABLE, AND WOULD RESULT IN SERIOUS DAMAGE TO THE ADMINISTRATION'S CREDIBILITY. THIS CREDIBILITY WILL BE REQUIRED TO SELL CONGRESS A MID-EAST PEACE PACKAGE AND/OR ARMS RESTRAINT IN THE MID-EAST."

PAGE FIVE, H HAS DEVELOPED A MORE REALISTIC OPTION ONE AS FOLLOWS: "1. INFORM FAHD THAT WE ARE ACTIVELY CONSIDERING THE F-15 IN THE CONTEXT OF OUR LONG-STANDING SUPPLY RELATIONSHIP, BUT NEED TO REVIEW THIS SALE IN LIGHT OF THE ADMINISTRATION'S ARMS TRANSFER POLICY AND CONSULT WITH CONGRESS ABOUT THE SALE IN THAT CONTEXT. THIS IS A SIMPLE EXTENSION OF WHAT THE SECRETARY TOLD FAHD LAST TIME THEY MET. WE MIGHT PROMISE A FINAL DECISION BEFORE, PERHAPS THE END OF THE YEAR (THE DATE COULD BE NEGOTIABLE WITH THE SAUDIS)." PROS AND CONS WOULD REMAIN AS FOR OUR ORIGINAL OPTION ONE.

OPTIONS TWO AND THREE REMAIN THE SAME EXCEPT THAT UNDER CONS, OPTION THREE, PAGE SEVEN, ADD: "-- H BELIEVES THIS WOULD REQUIRE CONSULTATION WITH THE CONGRESS WHICH COULD BACKFIRE."

ADD NEW OPTION FOUR AS FOLLOWS: (THIS IS PM PREFERRED

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OPTION) "4. TELL FAHD THAT WE WILL SEEK CONGRESSIONAL APPROVAL TO SELL THE SAUDIS AN ADVANCED AIRCRAFT, WITHOUT COMMITTING OURSELVES TO A SPECIFIC TYPE OR QUANTITY, OR TO A SPECIFIC DELIVERY DATE OR TO ANY SPECIFIC TYPE OR QUANTITIES OF ASSOCIATED MUNITIONS. WE WOULD ALSO POINT OUT THAT THE ADMINISTRATION'S NEED TO REVIEW SPECIFICS AND CONSULT WITH CONGRESS WILL REQUIRE SOME TIME, BUT WE WILL MOVE AS SOON AS POSSIBLE.

PROS:

-- THIS OPTION ALLOWS US TO BE AS RESPONSIVE AS POSSIBLE TO FAHD, WITHOUT THE NECESSITY OF CONSULTING CONGRESS BEFORE HIS VISIT.

CONS:

-- H BELIEVES CONGRESS WOULD HAVE TO BE CONSULTED IN ADVANCE OF SUCH A COMMITMENT. THIS WOULD ALSO MEAN A VERY HIGH RISK OF A VIOLENT AND PREEMPTIVE NEGATIVE REACTION, SUCH AS A LETTER SIGNED BY A MAJORITY OF THE SENATE, EFFECTIVELY FORECLOSING THE OPTION OF EVER SELLING THE F-15 TO SAUDI ARABIA BECAUSE OF THE 36B REQUIREMENT FOR CONGRESSIONAL ACCEPTANCE. H BELIEVES THE TIMING NOW IS ESPECIALLY BAD BECAUSE OF THE ANTAGONISM OF MANY OF ISRAEL'S FRIENDS TO OTHER MIDDLE EAST RELATED POLICIES OF THIS ADMINISTRATION.

-- H ALSO QUESTIONS WHETHER THE ADMINISTRATION WISHES TO MAKE THE APPEARANCE OF YIELDING SO MUCH DISCRETION IN THIS MATTER TO THE CONGRESS.

-- THERE HAS NOT BEEN ADEQUATE ANALYSIS BY THIS ADMINISTRATION TO JUSTIFY, ON MILITARY GROUNDS, THE SALE OF SOPHISTICATED AIRCRAFT AT THIS TIME.

-- THE CREDIBILITY OF THE ADMINISTRATION'S POLICY ON ARMS TRANSFERS WOULD BE TO SOME EXTENT UNDERMINED.

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-- HUNDREDS OF AMERICAN TECHNICIANS WOULD BE REQUIRED TO SUPPORT THESE AIRCRAFT FOR MANY YEARS INTO THE FUTURE.

-- THE SAUDIS WOULD HAVE DIFFICULTLY IN FULLY EMPLOYING THE AIRCRAFT FOR MANY YEARS TO COME (AND MAY BLAME THE USG FOR THEIR OWN SHORTCOMINGS IN THIS REGARD)."

PAGE 11, SECOND FULL PARAGRAPH: WE ARE STILL WORKING ON CLARIFICATION OF WHAT PM MEANS.

PAGE 11A, IN LAST SENTENCE, INSERT AFTER "... IN THE

CONGRESS." ("H BELIEVES IN TIME THE CONGRESSIONAL VIEW

OF THESE SALES IS LIKELY TO BE LESS VOLATILE THAN ITS REACTION TO ADVANCED AIRCRAFT. WHILE THE MEMORY IS STILL FRESH OF LAST FALL'S BITTER BATTLE ON THESE MISSILES, HOWEVER, THEIR SALE IS LIKELY TO BE EFFECTIVELY OPPOSED.")

PAGE 13, DROP SECOND CON WHICH BEGINS "RISKS SERIOUS CONTROVERSY..." AND SUBSTITUTE FOLLOWING:

"-- RUNS SERIOUS RISK OF BEING REJECTED BY THE CONGRESS WHEN LOAS PRESENTED.

-- AS WITH THE ADVANCED AIRCRAFT, AGREEMENT WITHOUT CONSULTATIONS WOULD BE A MISTAKE, AND CONSULTATIONS NOW COULD LEAD TO PREEMPTIVE ACTION AGAINST FURTHER SALES."

PAGE 14, LINE EIGHT SHOULD READ: "(NEA SUPPORTS THIS RECOMMENDATION.)" NEXT SHOULD BE INSERTED THE NEW OPTION- "ALTERNATIVELY TELL FAHD THAT WE WILL SEEK CONGRESSIONAL APPROVAL TO SELL THE SAUDIS AN ADVANCED AIRCRAFT, WITHOUT COMMITTING OURSELVES TO A SPECIFIC TYPE OR QUANTITY, OR TO A SPECIFIC DELIVERY DATE OR TO ANY SPECIFIC TYPE OR QUANTITIES OF ASSOCIATED MUNITIONS. WE WOULD ALSO POINT
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OUT THAT THE ADMINISTRATION'S NEED TO REVIEW SPECIFICS AND CONSULT WITH CONGRESS WILL REQUIRE SOME TIME, BUT WE WILL MOVE AS SOON AS POSSIBLE. (PM SUPPORTS THIS OPTION.)

H FEELS THAT SELECTING EITHER OF THE ABOVE TWO OPTIONS WOULD REQUIRE CONGRESSIONAL CONSULTATIONS PRIOR TO THE FAHD VISIT. PM FEELS THAT THE OPTION IT SUPPORTS IS DESIGNED TO AVOID THE NEED TO CONSULT PRIOR TO FAHD'S VISIT. NEA, WHILE RECOGNIZING THE RISK OF LEAKAGE IN ITS PREFERRED OPTION BELIEVES IT IMPRACTICAL AS WELL AS IN-ADVISABLE TO CONSULT WITH CONGRESS BEFORE THE VISIT.

RECOMMENDATION: THAT YOU DECIDE THAT PRIOR TO THE VISIT WE:

- A. CONSULT WITH THE CONGRESS.
- B. NOT CONSULT WITH THE CONGRESS."

PAGE 14, SECOND ALTERNATIVE REMAINS THE SAME. THIRD ALTERNATIVE, REWRITTEN AS FOLLOWS: "ALTERNATIVELY, INFORM FAHD THAT WE ARE ACTIVELY CONSIDERING THE F-15 IN THE CONTEXT OF OUR LONG-STANDING SUPPLY RELATIONSHIP, BUT NEED TO REVIEW THIS SALE IN LIGHT OF THE ADMINISTRATION'S ARMS TRANSFER POLICY AND CONSULT WITH CONGRESS ABOUT THE SALE IN THAT CONTEXT. THIS IS A SIMPLE EXTENSION OF WHAT THE SECRETARY TOLD FAHD LAST TIME THEY MET. WE MIGHT

PROMISE A FINAL DECISION BEFORE, PERHAPS THE END OF THE

YEAR (THE DATE COULD BE NEGOTIABLE WITH THE SAUDIS). IN THIS CASE NO CONSULTATIONS WITH CONGRESS ARE NECESSARY. (H STRONGLY SUPPORTS THIS ALTERNATIVE.)"

PAGE 15, LINE 13, FOLLOWING THE PHRASE "ONE FOR ONE BASIS" SENTENCE SHOULD READ: "BUT MUST DEFER A DECISION ON PROVIDING ADDITIONAL MISSILES UNTIL OUR ARMS TRANSFER POLICY IS FIRMLY SET AND WE HAVE CONSULTED FURTHER WITH
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CONGRESS. (PM AND H SUPPORT THIS OPTION.)"

3. H HAS ASKED AS A LAST MINUTE THOUGHT THAT WE ADD FOLLOWING TO THEIR CONGRESSIONAL CONSIDERATIONS SECTION: "IN BROADER MIDDLE EAST CONTEXT WE BELIEVE WE SHOULD CLEAR BOTH THE I-HAWK AND THE EGYPTIAN ITEMS THROUGH CONGRESS BEFORE BRINGING THIS SENSITIVE ISSUE TO THE HILL."

4. IN ADDITION, MIKE STERNER ALSO RECOMMENDS THE FOLLOWING CHANGES:

-- PAGE ONE, IN BACKGROUND ANALYSIS SECTION, LINE 12, CHANGE SENTENCE BEGINNING "IN OCTOBER 1976" TO: "IN OCTOBER 1976 THE DEPUTY SECRETARY OF DEFENSE INFORMED THE SAUDIS THEY COULD PURCHASE WHICHEVER ADVANCED FIGHTER-- INCLUDING THE F-15--THEY PREFERRED."

-- PAGE TWO, SECOND PARAGRAPH, LINE 6, MAKE THE PERIOD AFTER "POLICY" A COMMA AND ADD: "AND THE NEED TO TAKE CONGRESSIONAL OPINION INTO ACCOUNT."

-- PAGE TWO, SECOND PARAGRAPH, LINE 10. INSERT FOLLOWING SENTENCE FOLLOWING "WORLD ENERGY SITUATION.": "THIS WOULD BE PARTICULARLY TRUE WITH SUCH NEWS COMING ON TOP OF THE STIFF NEW ANTI-BOYCOTT BILL CONGRESS WILL SHORTLY PASS, WHICH THE SAUDIS ALREADY SEE AS A SLAP AGAINST THE ARABS.

-- PAGE FOUR, PARAGRAPH ONE, LINE 4, SENTENCE BEGINNING "THEY HAVE" CHANGE TO: "THEY HAVE ALREADY DONE CAREFUL STAFF WORK ON ACQUISITION OF THE F-15 PURSUANT TO WHAT THEY UNDERSTOOD TO BE A U.S. COMMITMENT ON THIS AIRCRAFT."

5. ARP FEELS THAT WE HAVE NO ALTERNATIVE BUT TO ACCEPT ADDITIONAL PM AND H LANGUAGE WHICH IS CLEARLY IDENTIFIED
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AS EXPRESSING THOSE BUREAUS' VIEWS. NOTWITHSTANDING, PM AND H POSITION SHIFTS, ARP CONTINUES TO FEEL WE SHOULD

STICK FIRMLY TO NEA POSITION AND LANGUAGE AND GO FORWARD
WITH SPLIT RECOMMENDATIONS TO GIVE SECRETARY CLEAR

PICTURE OF VARIOUS CONSIDERATIONS INVOLVED IN THESE
DIFFICULT DECISIONS. UPON RECEIPT YOUR GUIDANCE WE HOPE
TO SECURE APPROPRIATE SEVENTH FLOOR APPROVAL FOR CABLING
ACTION MEMORANDUM TO SECRETARY'S PARTY SOONEST. CHRISTOPHER

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<< END OF DOCUMENT >>

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